

5th February 1924] [Mr. C. Natesa Mudaliyar]

him as an amiable and good-natured gentleman. My personal contact with him teaches me that the more one knows him the more one will love him. He is really an acquisition to this Council."

The hon. Sir CHARLES TODHUNTER :—" Hear, hear."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, let me also crave your indulgence to offer my congratulations to the newly appointed Assistant Secretary. Sir, this is a matter of personal gratification to me; for, we are class-mates and intimate friends. But this title comes to him without equivalent remuneration. I hope the hon. the Finance Member will kindly look to it."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I have great pleasure in associating myself with the hon. the Leader of the House and giving expression to our feelings of gratification on your appointment as the President of this Council. I have a hope that with the excellent precedent which has been set before you and the splendid opportunities you have had of working with our ex-President who distinguished himself so ably, it will be possible for you to lay the foundations of constitutional practice deeper and even show definite improvement in various directions. Let me also inform this House that I had an opportunity of working with our distinguished President, not as President of this Council, but as president of a district board. If I can recall to my memory the way in which he succeeded in satisfying the desires of almost all members concerned, if I can bear personal testimony to the fact that he did not give on any occasion any slightest offence to any one individual in the House, I am quite certain that with the increased opportunities he has had, he will be able to produce a much better and a marvellous record in this Council. Time will come when, at the close of his career, we shall be in a position to judge more of the work and offer our thanks for the distinguished services which are still in store for us.

" I believe I will be within my rights if I make a suggestion before I close, and it is this: that the chief and the only consideration which everyone will have is how far the rights and the privileges of the Members of this House are safeguarded. We have every hope and confidence that we are quite safe in your hands and we will come out much better in the future than in the past."

The hon. the PRESIDENT :—" I am sure hon. Members will understand me when I say that I am exceedingly indebted to the hon. the Leader of the House, to the hon. the Minister for Self-Government, to Mr. Natesa Mudaliyar and to the hon. Member for Nellore, Rao Bahadur A. S. Krishna Rao, for the very kind words with which they have welcomed me. It is hardly possible for me to say anything more because in the first place I have had no notice that these remarks were going to be made. I will avail myself, however, of this opportunity to say one thing. And that is in reply to the kind words that have been said with regard to my Secretary and my Assistant Secretary who are still less able than I am to speak for themselves. On their behalf as well as on my own I thank the hon. Members who have made such kind references to us."

II

POINT OF ORDER REGARDING THE HOLDING OF THE PRESENT MEETING OF THE COUNCIL.

Mr. S. SATYAMURTI :—" Sir, may I submit to your ruling a point of order? My point is that this meeting is not properly convened, and I will give my

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reasons for it. If you will kindly turn to section 72-B, clauses 2 and 3 of the Government of India Act, you will find that they read thus :

'(2) A Governor may appoint such times and places for holding the sessions of his Legislative Council as he thinks fit and may also, by notification or otherwise, prorogue the Council.'

'(3) Any meeting of a Governor's Legislative Council may be adjourned by the person presiding.'

" You will remember that you first gave notice to us for a meeting of the Council on the 28th last and I believe two or three days before that we had notice that that meeting was postponed and a fresh notice was issued for the meeting of the Council to-day. My submission is that when once a meeting is convened it is competent only to the person who is presiding over the meeting to adjourn it and it is not open to the Governor or the Government, or even to the President when he is not actually presiding at the meeting, to adjourn the meeting. I have also to inform this House that this is the first time in the history of the Madras Legislative Council working under these Standing Orders that a meeting for which a notice was given was adjourned without that meeting being summoned and a fresh notice issued. Since it is a matter that seems to be very important whether the President can go on adjourning under such circumstances, I request, Sir, that you will kindly give your considered ruling on this matter."

The hon. Mr. C. P. RAMASWAMI AYYAR :— " Mr. President, Sir, my answer to it is this, that every meeting after a prorogation or dissolution has to be notified by the Governor himself. The last notice that was given must be taken to have been tentative and it was open to the Governor to suggest another date for the meeting. Once the session is started and the Legislative Council has begun to function, undoubtedly it is a fact that the person presiding can alone exercise that privilege."

The hon. the PRESIDENT :— " With reference to the point of order raised by the hon. Member, Mr. Satyamurti, viz., whether this meeting is properly convened, is being properly held and can properly go on with the business appointed for it, I have absolutely no doubt that we are properly met and that we can go on with the agenda. If the hon. Member wishes me to consider any other point, e.g., as to who can convene a meeting and who can change a date once fixed, I shall deal with such matters later on when and as they arise."

III

ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS.

Diwan Bahadur M. KRISHNAN NAYAR :— " I wish to raise another point of order. As the non-official Members of the Council have not been given the number of days which they are entitled to for the transaction of private business "

The hon. the PRESIDENT :— " I think this point of order will come properly later on. We have to go on with the orders of the day at present and after question time, if the same question is raised, I shall certainly be prepared to consider the same."

Diwan Bahadur M. KRISHNAN NAYAR :— " May I do it immediately after question time ? "

The hon. the PRESIDENT :— " Yes, after question time."